

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ABHINAV BHATNAGAR,

Plaintiff,

vs.

JASON INGRASSIA, individually and in
his official capacity; COUNTY OF
CONTRA COSTA; and CITY OF
SAN RAMON.

Defendants.

Case No.: Case No. CV07-02669 (CRB)(EDL)

**PROPOSED ORDER FOR
PLAINTIFF'S MOTION TO COMPEL
RESPONSES TO PLAINTIFF'S 1ST SET
OF DISCOVERY REQUESTS ON
DEFENDANT INGRASSIA**

This matter is before the court upon Plaintiff's Motion to Compel Responses to Plaintiff's 1st Set of Discovery Requests on Defendant Ingrassia, filed on July 26, 2008. Based upon the supporting and opposing documents submitted on this motion, all the documents contained in the record herein, and the motion hearing conducted on August 26, 2008, the Court hereby issues the following rulings:

(1) Defendant Ingrassia's objections to the number of interrogatories propounded by Plaintiff are overruled;

(2) The motion to compel a response to Interrogatory Request No. 1 is GRANTED - Defendant Ingrassia shall respond to this request in full, including information about where the officer has been stationed and the reasons why he was transferred from each position;

(3) The motion to compel a response to Interrogatory Request No. 3 is GRANTED in part - Defendant Ingrassia shall supplement his response by identifying each individual (previously identified by Defendant Ingrassia as his "employer") with whom he has discussed any of the allegations, claims, defenses, or facts related to this case;

(4) The motion to compel a response to Interrogatory Request No. 5 is DENIED WITHOUT PREJUDICE;

1 (5) The motion to compel a response to Interrogatory Request No. 6 is GRANTED as
2 modified – Defendant Ingrassia shall respond by identifying each and all matters in which he
3 gave sworn testimony from January 1, 2005 to the present in incidents involving other motorists,
4 either verbally or in writing, including but not limited to any depositions, interviews conducted
5 by Internal Affairs, criminal suppression hearings, testimony in proceedings before the
6 Department of Motor Vehicles, civil and/or criminal trials, and not including testimony he gave
7 during any traffic court proceedings;

8 (6) The motion to compel a response to Interrogatory Request No. 7 is GRANTED in
9 part - Defendant Ingrassia shall respond by identifying each and all person(s) who he believes
10 authorized or approved his actions relating to the encounters he had with Plaintiff on May 20,
11 2060 and September 29, 2006.

12 (7) The motion to compel responses to Interrogatory Request No. 8 and Document
13 Request No. 8 is GRANTED with the following modifications - counsel for Defendant Ingrassia
14 shall act diligently to obtain phone records for all personal and work cell phone numbers, home
15 phone numbers, and work phone numbers used by Defendant Ingrassia and to which he had
16 access to use from July 1, 2006 to December 31, 2007. In the event that counsel for Defendant
17 Ingrassia is unable to obtain access to phone records for any work cell phones and/or landline
18 work phone numbers used by Defendant Ingrassia, Plaintiff shall obtain those records from either
19 Contra Costa County or the City of San Ramon. By September 10, 2008, Plaintiff shall identify
20 the specific phone numbers for which the document review should be conducted by counsel for
21 Defendant Ingrassia. By September 25, 2008, counsel for Defendant Ingrassia shall (a) conduct
22 a document review of all the phone records ordered by the court to be obtained, and (b) disclose
23 the information requested for each instance in which any of the phone numbers identified by
24 Plaintiff's counsel are indicated in the officer's phone records;

25 (8) The motion to compel responses to Interrogatory Request No. 10 is DENIED
26 WITHOUT PREJUDICE;

27 (9) The motion to compel responses to Interrogatory Request No. 11 and Document
28 Request No. 11 is GRANTED in full;

1 (10) The motion to compel a response to Interrogatory Request No. 12 is GRANTED in
2 part – Defendant Ingrassia shall supplement his response by providing information related to all
3 his misdemeanor and felony convictions, including the offense, date of occurrence, location, and
4 disposition of the charges. Defendant Ingrassia shall not be required to disclose information
5 relating to arrests that did not result in conviction or any juvenile criminal records;

6 (11) The motion to compel responses to Interrogatory Request Nos. 13 and 14 are
7 DENIED WITHOUT PREJUDICE;

8 (12) The motion to compel a response to Interrogatory Request No. 15 is GRANTED in
9 full; and

10 (13) With the exception of Interrogatory Request No. 8 and Document Request No. 8, all
11 discovery responses shall be provided to Plaintiff no later than September 9, 2008.

12
13 **IT IS SO ORDERED.**

14 Dated: September 3, 2008

